

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
N-TRON CORPORATION,

Plaintiff,

12 Civ. 03568 (GBD) (GWG)

- against -

WARREN H. NICHOLSON, ROBERT A.  
NICHOLSON, THOMAS SHAW, KATHY S.  
NICHOLSON, and MARY S. NICHOLSON,

**NOTICE OF MOTION**

Defendants.

- and -

WARREN H. NICHOLSON, ROBERT A.  
NICHOLSON, ROBERT A. NICHOLSON,  
THOMAS SHAW, KATHY S. NICHOLSON,  
and MARY S. NICHOLSON,

Counter-Claim Plaintiffs,

- and -

WNE CAPITAL HOLDINGS CORPORATION,

Intervenor-Counterclaim-Plaintiff

- against -

N-TRON CORPORATION,

Counterclaim-Defendant.

-----X

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 56 and Local Civil Rule 56.1, and based upon their Brief in Support of Motion for Summary Judgment, Statement of Material Facts, Evidentiary Submission in Support of Motion for Summary

Judgment,<sup>1</sup> and all prior proceedings and papers in this action, defendants, by their attorneys Hand Arendall LLC and Clyde & Co US LLP, will move this Honorable Court on September 30, 2014 at 10:00 a.m., or as soon thereafter as counsel may be heard, at Courtroom 11A of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, NY 10007-1312, for an order granting summary judgment dismissal in favor of the defendants and against plaintiff N-Tron Corporation as to all claims stated against the defendants in the Complaint.

HAND ARENDALL LLC  
Attorneys for Defendants and Counterclaimants

By: /s/ K. Megan Brooks  
Douglas L. McCoy  
[dmccoy@handarendall.com](mailto:dmccoy@handarendall.com)  
J. Hodge Alves, III  
[haves@handarendall.com](mailto:haves@handarendall.com)  
Jennifer S. Morgan  
[jmorgan@handarendall.com](mailto:jmorgan@handarendall.com)  
K. Megan Brooks  
[mbrooks@handarendall.com](mailto:mbrooks@handarendall.com)  
11 North Water Street, Suite 30200  
Mobile, Alabama 36602  
Tel: (251) 432-5511  
Fax: (251) 694-6375

and

CLYDE & CO US LLP  
Attorneys for Defendants

John R. Keough, III  
Casey D. Burlage  
405 Lexington Avenue, 16th Floor  
New York, New York 10174  
Tel: (212) 710-3900

---

<sup>1</sup> Defendants have moved to file their summary judgment filings, including their Brief, Statement of Material Facts, and Evidentiary Submission in Support of Motion for Summary Judgment under seal with this Court and will do so once the Court rules on that motion. Defendants have already timely served a copy of Defendants' summary judgment filings on opposing counsel.

Fax: (212) 710-3950

TO: Rollin A. Ransom, Esq.  
Sidley Austin LLP  
555 West Fifth Street, Suite 4000  
Los Angeles, CA 90013  
Tel.: (213) 896-6047  
Fax: (213) 896-6600  
Email: [rransom@sidley.com](mailto:rransom@sidley.com)

Colin J. Garry, Esq.  
Sidley Austin LLP  
787 Seventh Avenue  
New York, NY 10019  
Tel.: (212) 839-5792  
Fax: (212) 839-5599  
Email: [cgarry@sidley.com](mailto:cgarry@sidley.com)